

STATE OF ALABAMA)
*
BALDWIN COUNTY)

2884

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Frank V. Barchard and Ira W. Barchard, Sr., to appear within thirty (30) days from the service of this writ in the Circuit Court of Baldwin County, Alabama, Equity Side, at the place of holding same, to answer the Bill of Complaint filed against them by Myrtle Barchard.

WITNESS my hand this 4th day of September, 1952.

Reis J. Neuck
Register.

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Oratrix, Myrtle Barchard, presents this Bill of Complaint against Frank V. Barchard and Ira W. Barchard, Sr., and, thereupon, your Oratrix complains and shows unto the Court and your Honor as follows:

1. Your Oratrix is over twenty-one years of age and a resident of Baldwin County, Alabama.
2. The respondents, Frank V. Barchard and Ira W. Barchard, Sr., are each over twenty-one years of age and are each non-residents of the State of Alabama, their places of residence and post office addresses being as follows: Frank V. Barchard, 2201 Glenwood Drive, Tampa, Florida; Ira W. Barchard, Sr., 3243 Belle Plaine Avenue, Chicago, Illinois.
3. On, to-wit, April 14, 1945, the Circuit Court of Baldwin County, Alabama, in Equity, rendered a final decree in the case of Frank V. Barchard, complainant and cross respondent, vs. Myrtle Barchard, respondent and cross complainant, in favor of the said respondent and cross complainant and against the complainant and cross respondent, requiring him to pay the sum of Two Hundred Dollars (\$200.00) per month for each and every month commencing with the month of April, 1945, for the maintenance and support of his minor children, Frank V. Barchard, Jr., and Kathryn Barchard. A copy of the said decree is hereto attached, marked "Exhibit A", and by reference made a part hereof as though fully incorporated herein.

A certified copy of the said final decree was filed for record in the office of the Judge of Probate of Baldwin County, Alabama on April 26, 1945 where it is recorded in Deed Book 88 N. S. at pages 427-8, Baldwin County, Alabama Records, which decree provided that the respondent and cross complainant, Myrtle Barchard, shall have a lien on all real and personal property of the said complainant and cross respondent to secure payment of the amounts provided for in this decree, provided that the lien created by the said decree would not be a charge upon the property conveyed to the said Myrtle Barchard in and by the said decree.

4. After the rendition of the above described decree, the said Frank V. Barchard did not make any payment thereon until on, to-wit, the 25th day of October, 1945, when he paid the sum of Two Hundred Dollars (\$200.00), which payment was credited by your Oratrix on the payment due by the said respondent for the month of April, 1945. Between October 25, 1945 and December 1, 1945, the respondent, Frank V. Barchard, made an additional payment of Two Hundred Dollars (\$200.00), which was credited by your Oratrix on the payment due by him for the month of May, 1945. During the month of December, 1945, the respondent, Frank V. Barchard, made an additional payment of \$125.00, which was credited by your Oratrix on the payment due by him for the month of June, 1945, so that on July 1, 1945 the respondent, Frank V. Barchard, was in arrears on his said payments in the amount of Twelve Hundred Seventy-five Dollars (\$1275.00), which amount, together with the interest thereon, is still due and unpaid.

After December, 1945 and commencing with the month of January, 1946, the respondent, Frank V. Barchard, made the payments due under the said decree to your Oratrix until the month of July, 1946, during which month Frank V. Barchard, Jr., became twenty-one years of age. The respondent, Frank V. Barchard, made payments of One Hundred Dollars (\$100.00) per month, commencing with the month of August, 1946, and going through the month of December, 1948. Kathryn Barchard, who is named in the said decree, became eighteen years of age on January 9, 1949. The respondent, Frank V. Barchard, did not make the \$100.00 payments provided in the said decree for the said minor, Kathryn Barchard, after the month of December, 1948 and until she reached the age of twenty-one years on January 9, 1952, which said amount, commencing with the month of January, 1949 and going through the month of January, 1952, at the rate of \$100.00 per month, is Thirty-seven Hundred Dollars (\$3700.00), which sum of money, together with interest thereon, is still due and unpaid.

5. At the time the certified copy of the above described decree was filed for record in the office of the Judge of Probate of Baldwin County, Alabama on, to-wit, April 26, 1945, the respondent, Frank V. Barchard, was the owner of the following described real property situated in Baldwin County, Alabama, to-wit:

Forty (40) acres, more or less, in the West One-Half ($W\frac{1}{2}$) of the West One-Half ($W\frac{1}{2}$) of the Northwest One-Quarter ($NW\frac{1}{4}$), Section Two (2), Township Nine (9) South, Range Four (4).

Twenty (20) acres, more or less, legally described as: The South One-Half ($S\frac{1}{2}$) of the Southwest One-Quarter ($SW\frac{1}{4}$) of the Southwest One-Quarter ($SW\frac{1}{4}$) of Section Thirty-two (32), Township Seven (7) South, Range Five (5).

Lots Eleven (11) and Twelve (12) of Block Seven (7) in West Foley Subdivision.

Twenty-five (25) acres, more or less, described as the Southeast Fractional One-Quarter, Section Twenty (20), Township Eight (8) South, Range Five (5).

One acre, more or less, commencing at a point which is fifteen (15) feet North and fifteen (15) feet West of the Southeast corner of the Southeast One-Quarter of the Northwest One-Quarter, Section Twenty-nine (29), Township Seven (7) South, Range Four (4), running thence North Three Hundred Fifteen (315) feet, West Two Hundred Twenty (220) feet, South Three Hundred Fifteen (315) feet, East Two Hundred Twenty (220) feet, being in the Southeast One-Quarter of the Northwest One-Quarter, (less 100 feet East and West and 140 feet North and South of the Southwest portion described above).

Sixty-five and Fifty-three One-hundredths (65.53) acres, more or less, legally described as Government Lot Four (4) in Fractional Section Thirty-one (31), Township Eight (8) South, Range Five (5).

At the time the certified copy of the above described decree was filed for record in the office of the Judge of Probate of Baldwin County, Alabama on, to-wit, April 26, 1945, the respondent, Frank V. Barchard, was the owner of a one-half interest in the following described real property situated in Baldwin County, Alabama, to-wit:

Begin at the point where the South line of Township 8 South intersects the West line of Section 37 of the Samuel Suarez Grant, run North 41 feet to a point, thence North 72 degrees 25 minutes East 2,277.5 feet to the point of beginning, run thence North 72 degrees 25 minutes East 924 feet to a point, thence South 25 degrees 30 minutes East 628.5 feet to a point, thence North 65 degrees 30 minutes East 533 feet to a point, thence North 24 degrees 30 minutes West 516 feet to a point, thence East 500 feet to a point, thence South 24 degrees 30 minutes East 1000 feet to a point which is located on the South side of Bear Point,

thence North along the meanders of Bayou St. John, which is on the South side of Bear Point, 50 degrees 48 minutes East 937.6 feet to a point, thence North along the meanders of said Bayou 71 degrees 30 minutes East 920 feet to a point, thence in a Northwestwardly direction 100 feet to a live oak tree referred to as Station One (1) in that certain deed from Dannelly and wife to Carney & Jones, as recorded in Deed Book "M" at pages 149-51, thence North 33 degrees 30 minutes West 378 feet to a point, thence North 71 degrees West 532 feet to a point, thence West 1567 feet to a point, thence North 1 degree 24 minutes West 1650 feet to a point on the North side of Bear Point on Bay La Launch, thence South along the meanders of said Bayou 63 degrees 30 minutes West 556 feet to a point, thence South along the meanders of said Bayou 72 degrees 30 minutes West 442 feet to a point, thence South along the meanders of said Bayou 40 degrees West 318 feet to a point, thence South 22 degrees West 316 feet to a point, thence South 185 feet to a point, thence South 0 degrees 30 minutes West 892 feet to a point, thence South 27 degrees 45 minutes West 658.5 feet to the point of beginning.

While the above described property was subject to the lien of the above described decree, the respondent, Frank V. Barchard, together with his wife, Evelyn Barchard, made, executed and delivered to the respondent, Ira W. Barchard, Sr., the following deeds:

- A. Deed dated December 13, 1945, recorded in Deed Book 101 at page 305, Baldwin County, Alabama Records, a copy of which is hereto attached, marked "Exhibit B" and by reference made a part hereof as though fully incorporated herein.
- B. Deed dated December 13, 1945, recorded in Deed Book 101 at page 304, Baldwin County, Alabama Records, a copy of which is hereto attached, marked "Exhibit C" and by reference made a part hereof as though fully incorporated herein.
- C. Deed dated December 13, 1945, recorded in Deed Book 101 at page 303, Baldwin County, Alabama Records, a copy of which is hereto attached, marked "Exhibit D" and by reference made a part hereof as though fully incorporated herein.
- D. Deed dated December 13, 1945, recorded in Deed Book 101 at page 318, Baldwin County, Alabama Records, a copy of which is hereto attached, marked "Exhibit E" and by reference made a part hereof as though fully incorporated herein.
- E. Deed dated December 13, 1945, recorded in Deed Book 101 at pages 307-8, Baldwin County, Alabama Records, a copy of which is hereto attached, marked "Exhibit F" and by reference made a part hereof as though fully incorporated herein.
- F. Deed dated December 13, 1945, recorded in Deed Book 101 at page 306, Baldwin County, Alabama Records, a copy of which is hereto attached, marked "Exhibit G" and by reference made a part hereof as though fully incorporated herein.

While the above described property was subject to the lien of the above described decree, the respondent, Frank V. Barchard, together with his wife, Evelyn Barchard, made, executed and delivered to Ira W. Barchard, who is the same person as Ira W. Barchard, Sr., a deed dated January 15, 1949, recorded in Deed Book 139 at pages 173-4, Baldwin County, Alabama Records, a copy of which is hereto attached, marked "Exhibit H" and by reference made a part hereof as though fully incorporated herein.

While the above described property was subject to the lien of the above described decree, the respondent, Frank V. Barchard, together with his wife, Evelyn Barchard, made, executed and delivered to Ira W. Barchard, who is the same person as Ira W. Barchard, Sr., a deed dated January 31, 1949, recorded in Deed Book 139 at pages 171-2, Baldwin County, Alabama Records, a copy of which is hereto attached, marked "Exhibit I" and by reference made a part hereof as though fully incorporated herein.

Title to all of the above described real property now stands on the records in the office of the Judge of Probate of Baldwin County, Alabama in the name of the respondent, Ira W. Barchard, Sr., subject, however, to the lien created by the above described decree.

PRAYER FOR PROCESS

Your Oratrix prays that the usual process of this Honorable Court will forthwith issue to the respondents and each of them, requiring them to appear within the time allowed by law and plead, answer or demur to this Bill of Complaint.

PRAYER FOR RELIEF

Your Oratrix prays for the following separate and several relief:

1. That the indebtedness, including interest due to the complainant by the respondent, Frank V. Barchard, be ascertained and fixed by a proper decree of this Court and that the said indebt-

edness be adjudged and decreed to be a lien on the above described lands.

2. That a proper decree be rendered foreclosing the said lien and ordering and directing a sale of the above described property in satisfaction thereof, and that in the said decree the complainant be permitted to bid at the foreclosure sale with the privilege of discharging her bid by crediting the indebtedness due her by the respondent, Frank V. Barchard, less the amount of any court costs which she may be required to pay.

3. Complainant further prays for such other, further and general relief as she may be equitably entitled to, the premises considered.

J. B. Blackburn
Solicitor for Complainant.

STATE OF ALABAMA)
 *
BALDWIN COUNTY)

Before me, the undersigned authority, within and for said County in said State, personally appeared J. B. BLACKBURN, who, after being by me first duly and legally sworn, deposes and says: That he is solicitor for the complainant in the above entitled cause; that he has read over the foregoing Bill of Complaint and that the facts stated therein are true.

J. B. Blackburn

Sworn to and subscribed before me on this the 4th day of September, 1952.

Mary Ann Blackburn
Notary Public, Baldwin County, Alabama.

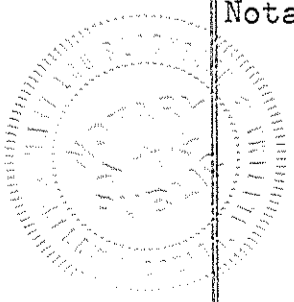


EXHIBIT A

FRANK BARCHARD,

Complainant and
Cross Respondent,

VS.

MYRTLE BARCHARD,

Respondent and
Cross Complainant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY. NUMBER 895.

FINAL DECREE

This cause is submitted for Final Decree on behalf of the parties upon the original Bill of Complaint, Stipulation of Parties relative to the taking of the testimony of the Complainant and Cross Respondent; original Answer and Cross Bill; Motion dated July 13, 1944; Decree dated July 15, 1944; Motion filed November 6, 1944; Decree dated November 8, 1944; Amended Answer and Cross Bill filed November 18, 1944; Stipulation of Parties dated February 21, 1945; Amended Answer and Cross Bill filed April 11, 1945; Answer to Original and Amended Cross Bills and the Testimony as noted by the Register; upon consideration of which it is therefore ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. The Complainant and Cross Respondent having failed to prove the allegations of the original Bill of Complaint filed by him in this cause, the relief prayed for by him herein is hereby denied.
2. The permanent custody and control of the minor children, Frank V. Barchard, Jr., and Kathryn Barchard, is hereby granted to the Respondent and Cross Complainant, Myrtle Barchard, and the Complainant and Cross Respondent, Frank V. Barchard, shall pay to the Respondent and Cross Complainant, Myrtle Barchard, the monthly sum of \$200.00 for each and every month commencing with the month of April, 1945, for the maintenance and support of the said minor children, which amount, after April, 1945, shall be paid between the 1st and 15th day of each and every month. No provision is made in this Decree for the custody and control and maintenance and support of Marie Barchard, who has married since the commencement of this suit. The Respondent and Cross Complainant, Myrtle Barchard, shall have a lien on all of the real and personal property of the Complainant and Cross Respondent to secure payment of the amounts provided for in this paragraph of this Decree but

this lien shall not apply to or be a charge upon the property hereinafter conveyed to the Respondent and Cross Complainant, Myrtle Barchard.

3. The bonds of matrimony heretofore existing between the Respondent and Cross Complainant, Myrtle Barchard, and the Complainant and Cross Respondent, Frank V. Barchard, be, and they are hereby dissolved and the said Respondent and Cross-Complainant is forever divorced from the Complainant and Cross Respondent on the ground of adultery. The parties hereto having been divorced because of the misconduct of the said Complainant and Cross Respondent, the said Respondent and Cross Complainant is entitled to permanent alimony from him and the unencumbered fee simple title to the printing and publishing business known as the Foley Onlooker and the Baldwin News-Herald located at Foley, in Baldwin County, Alabama, the subscription lists, stock in trade, furniture, fixtures, machinery, apparatta, good will and all other property of every kind and nature owned by the Complainant and Cross Respondent and used in the said business is hereby fully and completely divested out of the said Complainant and Cross Respondent, Frank V. Barchard, and fully and completely vested in the said Respondent and Cross Complainant, Myrtle Barchard, as her own property for permanent alimony as fully and completely in all respects as the said Complainant and Cross Respondent could or ought to convey the said property.

4. The parties hereto are each hereby permitted to again contract marriage but they shall not marry except to each other until after the expiration of sixty days from the date of this decree and if an appeal is taken in this cause within sixty days the said parties shall not marry except to each other during the pendency of the said appeal.

5. The Register of this Court shall, within ten days after the rendition of this Decree, file a certified copy of this Decree for record in the office of the Judge of Probate of Baldwin County Alabama and tax the costs of such recording as a part of the costs of this proceeding and the Probate Judge of Baldwin County is directed to index the said Decree in the direct index in the name of Frank V. Barchard and in the reverse index in the name of Myrtle

Barchard.

6. The costs of this proceeding are hereby taxed against the Complainant and Cross Respondent, Frank V. Barchard, for which execution may issue but the costs so taxed do not include compensation for Respondent and Cross Complainant's solicitor as such fee is not, in the opinion of the Court, a proper charge to be paid by the Complainant and Cross Respondent.

7. Jurisdiction of this cause is reserved for the purpose of making such other and further orders and decrees relative to the custody and control and maintenance and support of the minor children named in this Decree, as may be necessary or proper.

ORDERED, ADJUDGED AND DECREED this 14th day of April,
1945.

F. W. Hare

Judge

EXHIBIT B

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That Frank V. Barchard and Evelyn Barchard, his wife, of Muskogee, Oklahoma, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, hereby grant, bargain, sell and convey unto Ira W. Barchard, Sr., of Chicago, Illinois, the following described real property and premises situate in Baldwin County, Alabama, to-wit:

Forty (40) acres, more or less in the West One-Half (W½) of the West One-Half (W½) of the Northwest One-Quarter (NW¼), Section Two (2), Township Nine (9) South, Range Four (4).

together with all improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD the said described premises unto the said Ira W. Barchard, Sr., his heirs, successors and assigns forever free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and Delivered this 13th day of December, 1945.

(S) FRANK V. BARCHARD (SEAL)

(S) EVELYN BARCHARD (SEAL)

STATE OF OKLAHOMA }
MUSKOGEE COUNTY }

Before me, the undersigned, a Notary Public, in and for said State and County, on this 13th day of December, 1945, personally appeared Frank V. Barchard and Evelyn Barchard, his wife, to me known to be the identical persons who executed the above and foregoing Warranty Deed, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth, and I hereby so certify.

Witness my hand and seal as such Notary Public, at Muskogee, Oklahoma this 13th day of December, 1945.

(S) FLORENCE T. BYARS

My commission expires April 3, 1949.

Filed December 20, 1945
Recorded Deed Book 101, page 305

WARRANTY DEED

EXHIBIT D

KNOW ALL MEN BY THESE PRESENTS:

That Frank V. Barchard and Evelyn Barchard, his wife, of Muskogee, Oklahoma, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, hereby grant, bargain, sell and convey unto Ira W. Barchard, Sr., of Chicago, Illinois, the following described real property and premises situate in Baldwin County, Alabama, to-wit:

Lots Eleven (11) and Twelve (12) of Block Seven (7) in West Foley Subdivision.

together with all improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD the said described premises unto the said Ira W. Barchard, Sr., his heirs, successors and assigns, forever free, clear and discharged of and from all former grants, charges, taxes judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and Delivered this 13th day of December, 1945.

(S) FRANK V. BARCHARD (SEAL)

(S) EVELYN BARCHARD (SEAL)

STATE OF OKLAHOMA)
*
MUSKOGEE COUNTY)

Before me the undersigned, a Notary Public in and for said State and County, on this 13th day of December, 1945, personally appeared Frank V. Barchard and Evelyn Barchard, his wife, to me known to be the identical persons who executed the above and foregoing Warranty Deed, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth, and I hereby so certify.

Witness my hand and seal as such Notary Public, at Muskogee Oklahoma, this 13th day of December, 1945.

(S) FLORENCE T. BYARS

My commission expires April 3, 1949.
Filed December 20, 1945
Recorded Deed Book 101, page 303

EXHIBIT E

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That, Frank V. Barchard and Evelyn Barchard, his wife, of Muskogee, Oklahoma, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, hereby grant, bargain, sell and convey unto Ira W. Barchard Sr., of Chicago, Illinois, the following described real property and premises situate in Baldwin County, Alabama, to-wit:

Twenty-five (25) acres, more or less, described as the Southeast Fractional One-Quarter, Section Twenty (20) Township Eight (8) South, Range Five (5).

together with all improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD the said described premises unto the said Ira W. Barchard, Sr, his heirs, successors and assigns forever free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and Delivered this 13th day of December, 1945.

(S) FRANK V. BARCHARD (SEAL)

(S) EVELYN BARCHARD (SEAL)

STATE OF OKLAHOMA }
MUSKOGEE COUNTY }

Before me the undersigned, a Notary Public, in and for said State and County, on this 13th day of December, 1945, personally appeared Frank V. Barchard and Evelyn Barchard, his wife, to me known to be the identical persons who executed the above and foregoing Warranty Deed, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth, and I hereby so certify.

Witness my hand and seal as such Notary Public, at Muskogee Oklahoma, this 13th day of December, 1945.

(S) FLORENCE T. BYARS

My commission expires April 3, 1949.

Filed December 20, 1945
Recorded Deed Book 101, page 318

WARRANTY DEED

EXHIBIT F

KNOW ALL MEN BY THESE PRESENTS:

That Frank V. Barchard and Evelyn Barchard, his wife, of Muskogee, Oklahoma, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration in hand, paid, the receipt of which is hereby acknowledged, hereby grant, bargain, sell and convey unto Ira W. Barchard, Sr., of Chicago Illinois, the following described real property and premises situate in Baldwin County, Alabama, to-wit:

One (1) acre, more or less, commencing at a point which is fifteen (15) feet north, and fifteen (15) feet West of the Southeast corner of the Southeast One-Quarter, of the Northwest One-Quarter, Section Twenty-nine (29), Township Seven (7) South, Range Four (4), running thence North Three Hundred Fifteen (315) feet, West Two Hundred Twenty (220) feet, South Three Hundred Fifteen (315) feet, East Two Hundred Twenty (220) feet, being in the Southeast one-Quarter of the Northwest One-Quarter, (less 100 feet East and West and 140 feet North and South of the Southwest portion described above.)

together with all improvements thereon and the appurtenances thereunto belonging and warrant the title to the same.

TO HAVE AND TO HOLD the said described premises unto the said Ira W. Barchard, Sr., his heirs, successors and assigns, forever free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and Delivered this 13th day of December, 1945.

(S) FRANK V. BARCHARD (SEAL)

(S) EVELYN BARCHARD (SEAL)

STATE OF OKLAHOMA)
*
MUSKOGEE COUNTY)

Before me, the undersigned, a Notary Public, in and for said State and County, on this 13th day of December, 1945, personally appeared Frank V. Barchard and Evelyn Barchard, his wife, to me known to be the identical persons who executed the above and foregoing Warranty Deed, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth, and I hereby so certify.

Witness my hand and seal as such Notary Public at Muskogee Oklahoma, this 13th day of December, 1945.

(S) FLORENCE T. BYARS

My commission expires April 3, 1949.

Filed December 20, 1945
Recorded in Deed Book 101, page 307-8

WARRANTY DEED

EXHIBIT G

KNOW ALL MEN BY THESE PRESENTS:

That Frank V. Barchard and Evelyn Barchard, his wife, of Muskogee, Oklahoma, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, hereby grant, bargain, sell and convey unto Ira W. Barchard, Sr. of Chicago, Illinois, the following described real property and premises situate in Baldwin County, Alabama, to-wit:

Sixty-five and Fifty three One-hundredths (65.53) acres, more or less, legally described as Government Lot Four (4) in Fractional Section Thirty-one (31) Township Eight (8) South, Range Five (5).

together with all improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD the said described premises unto the said Ira W. Barchard, Sr., his heirs, successors and assigns forever free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and Delivered this 13th day of December, 1945.

(S) Frank V. Barchard (SEAL)

(S) Evelyn Barchard (SEAL)

STATE OF OKLAHOMA)
MUSKOGEE COUNTY)

Before me, the undersigned, a Notary Public, in and for said State and County, on this 13th day of December, 1945, personally appeared Frank V. Barchard and Evelyn Barchard, his wife, to me known to be the identical persons who executed the above and foregoing Warranty Deed, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth, and I hereby so certify.

Witness my hand and seal as such Notary Public, at Muskogee Oklahoma, this 13th day of December, 1945.

(S) Florence T. Byars

My commission expires April 3, 1949.

Filed December 20, 1945
Recorded Deed Book 101, page 306

EXHIBIT H

STATE OF ALABAMA)
 *
 BALDWIN COUNTY)

QUIT CLAIM DEED

THIS INDENTURE, made and entered into on this the 15th day of January, 1949, by and between Frank V. Barchard and Evelyn Barchard, his wife, hereinafter referred to as parties of the first part, and Ira W. Barchard, hereinafter referred to as the party of the second part, WITNESSETH:

That for an in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to parties of the first part this day cash in hand paid by party of the second part, receipt whereof is hereby acknowledged, parties of the first part have and by these presents do hereby REMISE, RELEASE, QUIT CLAIM AND CONVEY unto the party of the second part all their right title and interest in and to the following described real property in Baldwin County, Alabama, viz:

Begin at the point where the South line of Township 8 South intersects the West line of Section 37 of the Samuel Suarez Grant, run North 41 feet to a point, thence North 72 degrees 25 minutes East 2,277.5 feet to the point of beginning, run thence North 72 degrees 25 minutes East 924 feet to a point, thence South 25 degrees 30 minutes East 628.5 feet to a point, thence North 65 degrees 30 minutes East 533 feet to a point, thence North 24 degrees 30 minutes West 516 feet to a point, thence East 500 feet to a point, thence South 24 degrees 30 minutes East 1000 feet to a point which is located on the South side of Bear Point, thence North along the meanders of Bayou St. John which is on the South side of Bear Point 50 degrees 48 minutes East 937.6 feet to a point, thence North along the meanders of said Bayou 71 degrees 30 minutes East, 920 feet to a point, thence in a North-westwardly direction 100 feet to a live oak tree referred to as Station One (1) in that certain Deed from Dannelly and wife to Carney & Jones, as recorded in Deed Book "M" at pages 149-51, thence North 33 degrees 30 minutes West 378 feet to a point, thence North 71 degrees West 532 feet to a point, thence West 1567 feet to a point, thence North 1 degree 24 minutes West 1650 feet to a point on the North side of Bear Point on Bay La Launch thence South along the meanders of said Bayou 63 degrees 30 minutes West 556 feet to a point, thence South along the meanders of said Bayou 72 degrees 30 minutes West 442 feet to a point thence South along the meanders of said Bayou 40 degrees West 318 feet to a point, thence South 22 degrees West 316 feet to a point, thence South 185 feet to a point, thence South 0 degrees 30 minutes West 892 feet to a point thence South 27 degrees 45 minutes West 658.5 feet to the point of beginning. Intending to convey hereby all of the right, title or interest of the grantors in lands located on Bear Point, Baldwin County, Alabama, which they acquired as heirs at law and next of kin of Vernie V. Barchard, Deceased.

TO HAVE AND TO HOLD unto the said party of the second part, his heirs and assigns, forever.

IN WITNESS WHEREOF, the parties of the first part hereunto set their hands and seals on this the day and year first above written.

(S) FRANK V. BARCHARD (SEAL)

(S) EVELYN BARCHARD (SEAL)

STATE OF PENNSYLVANIA)
*
CUMBERLAND COUNTY)

I, Viola B. Guistwhite, a Notary Public, in and for said County in said State, hereby certify that Frank V. Barchard and Evelyn Barchard, his wife, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument they executed the same voluntarily on the day the same bears date.

I further certify that on the 15th day of January, 1949, came before me the within named Evelyn Barchard, known to me to be the wife of the within named Frank V. Barchard, who, being examined separate and apart from the husband, touching her signature to the within instrument, acknowledged that she executed the same of her own free will and accord and without fear, constraint or threats on the part of the husband.

Given under my hand and notarial seal hereto affixed by me, this 15th day of January, 1949.

(S) VIOLA B. GUISTWHITE

Notary Public, Cumberland County.

Filed March 10, 1949

Recorded Deed Book 139, page 173-4

EXHIBIT I

STATE OF ALABAMA)
*
BALDWIN COUNTY)

QUIT CLAIM DEED

THIS INDENTURE, made and entered into on this the 31st day of January, 1949, by and between Frank V. Barchard and Evelyn Barchard, his wife, hereinafter referred to as the parties of the first part, and Ira W. Barchard, hereinafter referred to as party of the second part, WITNESSETH:

That for and in consideration of the sum of Ten Dollars, (\$10.00) and other good and valuable consideration to parties of the first part this day cash in hand paid by party of the second part, receipt whereof is hereby acknowledged, parties of the first part, have and by these presents do hereby REMISE, RELEASE, QUIT CLAIM AND CONVEY unto the party of the second part, all their right, title and interest in and to the following described real property in Baldwin County, Alabama, viz:

One acre, more or less, commencing at a point which is Fifteen (15) feet North and Fifteen (15) feet West of the Southeast Corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-nine (29) Township Seven (7) South, Range four (4) East, running thence North 315 feet, West 220 feet South 315 feet, East 220 feet, being in the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) (less 100 feet East and West by 140 feet North and South of the Southwest portion thereof.

The West half (W $\frac{1}{2}$) of the West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Two (2), Township Nine (9) South, Range Four (4) East.

The Southeast Fractional One-Quarter of Section Twenty (20), Township Eight (8) South, Range Five (5) East; also known as Subdivision Two (2) in said Section

The South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-two (32) Township Seven (7) South, Range Five (5) East.

Lots Eleven (11) and Twelve (12) Block Seven (7) in West Foley, Baldwin County, Alabama.

Government Lot Four (4) in Fractional Section Thirty-one (31), Township Eight (8) South, Range Five (5) East, containing 65.53 acres, more or less.

TO HAVE AND TO HOLD unto the said party of the second part, his heirs and assigns, forever.

IN WITNESS WHEREOF, the parties of the first part hereunto set their hands and seals on this the day and year first above written

(S) FRANK V. BARCHARD (SEAL)

(S) EVELYN BARCHARD (SEAL)

STATE OF PENNSYLVANIA)
 *
CUMBERLAND COUNTY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Frank V. Barchard and Evelyn Barchard, his wife, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they executed the same voluntarily on the day the same bears date.

I further certify that on the 31st day of January, 1949, came before me the within named Evelyn Barchard, known to me to be the wife of the within named Frank V. Barchard, who, being examined separate and apart from the husband, touching her signature to the within instrument, acknowledged that she executed the same of her own free will and accord and without fear, constraint or threats on the part of the husband.

GIVEN under my hand and Notarial seal hereto affixed by me this the 31st day of January, 1949.

(S) Viola B. Guistwhite
Notary Public, Cumberland County.

Filed March 10, 1949,
Recorded Deed Book 139, page 171-2